

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/419,070
Attorney Docket No.: Q56248

REMARKS

Claims 1-12 are all the claims pending in the Application. Applicant editorially amends claims 1, 4, and 9 to fix minor informalities. In addition, Applicant adds claims 10-12. Claims 10-12 are clearly supported throughout the specification.

I. Preliminary Matter

It is being maintained that no copies were provided for the foreign references submitted with the Information Disclosure Statement filed on October 15, 1999. Accordingly, for the Examiner's convenience, Applicant submits a copy of the three references that were crossed out by the Examiner on form PTO-1449 as well as a copy of the form PTO-1449. Therefore, Applicant respectfully requests the Examiner to initial all of the references listed on form PTO-1449.

II. Summary of the Office Action

The Examiner objected to claims 1-4 and 9 for minor informalities and maintained the rejection of claims 1-9.

III. Claim Objections

The Examiner objected to claims 1-4 and 9 because of minor informalities. The claims have been revised, and the claims as now presented no longer include the potential informalities mentioned by the Examiner. It is therefore appropriate and necessary for the Examiner to withdraw the objections to the claims.

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IV. Claim Rejections under 35 U.S.C. § 102

Claims 1-9 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,806,072 to Kuba et al. (hereinafter “Kuba”). In particular, the Examiner alleges that Applicant’s amendments have been carefully considered but are not persuasive.

It will be appreciated that the following remarks relate to the invention in a general sense, the remarks are not necessarily limitative of any claims and are intended only to help the Examiner better understand the distinguishing aspects of the claims mentioned further below.

In general, the present invention is related to changing the sequence of stored images in a digital camera. In particular, a user may wish to change the sequence of the images so that the later images precede the former images. For example, the user may have taken a picture of object A at time 0, and then of object B at times 1, 2, and 3, and then again of object A at time 4. The user, then, may wish to rearrange the images so that the images of object A are displayed sequentially, thereby the user may wish to move the object A to appear between time 0 and time 1.

To facilitate this, the digital camera has an image data management file stored separately from the image data. This management file stores a number of records, where each record has among other items, a processing sequence number of the recorded image data. When a change in the processing sequence of the picked up images is desired, the records are updated. In particular, the pointer to the location of the picked up images is updated, thereby changing the processing sequence. Consequently, the processing sequence can be changed without rearranging the sequence of the actual image data.

Claim 1, for example, is directed to a digital camera, which comprises:

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an image data management file for storing a plurality of recording information having a processing sequence, an image type and a recording location of the recorded image data, the image data management file being stored in the recording medium separately from the image data; and

means for updating the image data management file,

wherein the processing sequence of the recorded image data is updated by changing record location information of the recorded image data to record location information of another recorded image data.

The Examiner alleges that the data management file as set forth in claim 1 is equivalent to the root directory of Kuba, and that the processing sequence, a recording location, and an image type stored in the records of the management file are equivalent to a playback sequence shown in Figs. 27A and B of Kuba, time or date, and the numbering shown on the side in Figs. 27A and 27B, respectively (*see* pages 2, 3, and 5 of the Office Action). Kuba's discussion of the root directory and the playback mode has been carefully studied and such teachings are very dissimilar.

In general, Kuba teaches storing image data in a hierarchical structure, thereby facilitating quick retrieval of image data for reproduction (col. 7, line 45 to col. 8, line 26). In particular, Kuba teaches storing dates and similar data in a storage area of IC memory card 14 in a header separate from the intrinsic image data storage 22 (Fig. 23(A); col. 21, lines 32 to 39). Kuba also teaches reproducing randomly stored image data in a date sequence by reading the header of each image data.

In Kuba, a root directory contains file names, which may be rearranged to alter the reproduction sequence. This root directory has file names, attributes, links to other

subdirectories, time and date, and start cluster number of the storage location (Fig. 7, col. 15, lines 35 to 50). Kuba also teaches rearranging the sequence of reproduction without shifting actual image data in the data file areas by changing the directory entry sequence of the root directory, *i.e.*, by rearranging file names (Figs. 30A-B; col. 23, line 66 to col. 24, line 11). Finally, Kuba also teaches that the reproduction sequence may be changed by physically rearranging records (Figs. 32A-C; col. 24, lines 22 to 42).

The Examiner alleges that the numbering depicted in Figs. 27A and B is equivalent to a record location as set forth in claim 1. Specifically, the Examiner states:

the playback sequence in order 1-8 is updated by changing the record location 4 of image picked-up 90.10.6 to record location 1, changing the record location 6 of image picked-up 90.12.10 to record location 2, changing the record location 1 of image picked-up 91.1.2 to record location 3, and so on as shown in figures 27(A) and 27(B), emphasis added (see page 3 of the Office Action).

Figs. 27A and 27B disclose that the picked up images are played back in a sequence different from the pick-up sequence of the images. Specifically, with respect to Figs. 27A and 27B, Kuba states that:

The management of predetermined data stored randomly in data file areas in the storage medium in the date sequential playback mode will be described with reference to FIG. 27. When the sequence of storage in the storage medium is random and without relation to the pick-up sequence as shown in FIG. 27(A), the system controller 19 reads out the date information and rearranges the sequence of reproduction such as to conform to the date sequence as shown in FIG. 27(B) (col. 23, lines 15 to 24).

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That is, the numbering depicted in Figs. 27A and B is to show the change in sequence for reproduction to the stored image data sequence. There is no indication that record location information is changed. Moreover, if, as alleged by the Examiner, the claimed data management file is equivalent to Kuba's root directory, there is no teaching of updating location information of the record in the management file. That is, Kuba does not teach or suggest that when the sequence is rearranging for reproduction, record location information that is stored in the management file is updated.

Kuba does mention that the reproduction sequence may be changed by either physically rearranging the sequence or moving records in the root directory. For example, in Kuba, file name may be rearranged to change the reproduction sequence of images. In other words, Kuba teaches modifying the reproduction sequence from the storage sequence by either physically rearranging data files or by rearranging records in the root directory *e.g.*, by rearranging file names. In Kuba, however, the reproduction sequence is not updated based on the record location information. In other words, Kuba fails to teach or suggest updating the processing sequence as set forth in claim 1. In Kuba, there is no record location information that can be updated to change the processing sequence.

The Examiner alleges numbering depicted in Figs. 27A and B are record location information. These numbers, however, are to display to the reader the changed sequence and have nothing to do with information being stored (*e.g.* root directory or the stored image data). In short, Kuba requires either physical shifting of the image data or the physical shifting of the

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records stored in root directory. Thus, Kuba clearly fails to teach or suggest the update of the processing sequence as set forth in claim 1.

Therefore, “wherein the processing sequence of the recorded image data is updated by changing record location information of the record image data to record location information of another record image data,” as set forth in claim 1, is not suggested or taught by Kuba since the cited reference lacks a processing sequence which is updated by changing record location information. For at least these exemplary reasons, independent claim 1 is patentably distinguishable from Kuba, and it is now appropriate and necessary for the Examiner thus to withdraw this rejection of independent claim 1. Also, claims 2-3 are allowable at least by virtue of their dependency on claim 1.

Next, independent claims 4 and 5 recite features similar to the features argued above with respect to claim 1. Therefore, arguments presented with respect to claim 1 is respectfully submitted to apply with equal force here. For at least substantially the same reasons, therefore, independent claims 4 and 5 is patentably distinguishable from Kuba. Claims 6-8 are patentable at least by virtue of their dependency on claim 5 and claim 9 is patentable at least by virtue of its dependency on claim 4.

V. New Claims

In order to provide more varies protection, Applicant adds claims 10-12. New claim 10 is allowable at least by virtue of its dependency on claim 4 and claims 11 and 12 are allowable at least by virtue of its dependency on claim 1.

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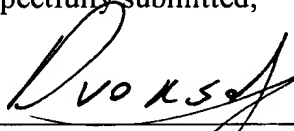
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VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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